

17. (Previously Presented) The system as in claim 16 wherein said expandable tubular implant comprises a tubular mesh.

25. (New Claim) The system as in claim 16 wherein a substance that hardens is inserted into the expanded tubular implant.

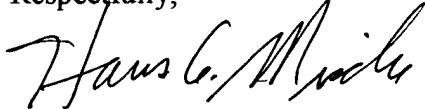
The claims above are supported by the specification and do not include any new subject matter not previously disclosed.

Remarks

Regarding Cottone(EP 0819413 A2), we discussed that the intent of the system presented in Mische(09/733,775) is to treat and fixate bone fractures, not to treat and maintain patency of blood vessels as disclosed by Cottone. Additionally and respectfully, Mische(09/733,775) inventively utilizes the shortening of the implant upon expansion as a deliberate therapeutic feature that additionally fixates bone fractures.

In view of the above amended claims and remarks, I ask that you consider the claims as being in a condition for allowance, and provide an issuance of a notice to that effect.

Respectfully,



Hans A. Mische